IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO : 12478 of 1994

Between:

1. Pittala Srinivasa Rao, S/o Lakshmaiah, 26 years, Vaddavalli, D.No.9-140 Satenapalli-522 403, Guntur District.

2. Vanga Srinivasa Rao, S/o Narasimha Rao, 27 years, C/o Sankara Subba Rao, Pedavadlapudi (P.O), Mangalagiri Mandal, Guntur District –522 302.

3. Chunduri Bhaskara Rao, S/o Venkateswarlu, 27 years, Ravela Post, Tadikonda Mandal, Guntur District – 522 023.

4. Atukuri Murali Krishna Rao, S/o Guravaiah, 27l years, C/o K.Subba Rao, Gollamudivari Street, D.No.8-6-15, Sattenapalli – 522 403, Guntur District.

5. Muvva Srinivasa Rao, S/o Koteswara Rao, 27 years, Kesavarapupadu (P.O), Karamchedu Mandal, Prakasam District.

6. Gundu Narayana, S/o Venkatadri, 31 years, Adapavari Street, R.Agraharam, Guntur.

7. Dasari Rama Rao, S/o Edukondalu, 25 years, Vaddavalli, 10th Ward, Sattenapalli – 522 403, Guntur District.

8. S.V.C.S.R.S.V.Prasad, S/o Venkateswara Rao, 26 years, C/o M.Nageswara Rao, Conductor, Nagarjunanagar, Sattenapalli – 522 403.

9. Youri Bhaskara Rao, S/o Y.Venkateswarlu, 26 years,C/o M.Nageswara Rao, Conductor, Nagarjunagar, Sattenapalli – 522 403, Guntur District.

10. Somu V.L.Narasimha Reddi, S/o Venkateswara Redi, 26 years, Palavenkayamma Bazar, D.No.4-2-72, Sattenapali – 522 403.

11. Sykam Suresh, S/o Krishna Murthy, 30 years, Vaddavalli, Park Road, Satenapalli – 522 403, Guntur District.

12. Morey Muralikrishna, C/oPedadurgogi, 30 years, Lorry driver, Arakali Street, Satenapalli – 522 403.

13. Ammisetti Venkateswarlu, S/o A. Paparao, 26 years, D.No.5-55, near Venugopala Stret, Satenapali – 522 403.

14. Chembeti Sivarama Krishna, S/o Venkateswarlu, 26l years, 5th Ward, Ammisettivari Street, Satenapali, Guntur District.

15. Tripuramallu Narasimha Murthy, S/o Venkateswarlu, 28 years, Nandigama Post, Sattenapalli Mandal, Guntur District.

16. Kadiyam Venkata Malleswara Rao, S/o Pedamannaiah, 26 years, behind Veternary hospital, Sattenapalli.

17. Seeram Sambasiva Rao, S/o Sambamurthy, 26 years, Yakmi Murthy Tailors, Gollamudivari street, Satenapali – 522 403.

18. Devabhaktuni Venkata Koteswara Rao, S/o Nageswara Rao, 29 years, C/o Nagisetty Koteswararao, D.No.1-9-5, Barampet, Narasaraopet – 522 601, Guntur District.

19. Alla Haribabu, S/o Bhujanga Rao, 29 years, D.No.10-7-11, 9th Ward, Sattenapalli –522 403.

20. Pinnamaneni Para Brahmanandarao, S/o Nagaiah, 32 years, Gudipudi Post, Sattenapalli Mandal, Guntur District.

21. Shaik Mastanvalli Saheb, S/o Azunutulla Saheb, 26 years, C/o Hussain APSEB, 4th Ward, New Mosque, Satenapalli – 522 403.

22. Arava Sudhir Peter Paul, S/o Dhanaraj, 29 years, Sastrinagar, Vaddavalli, Sattenapalli – 522 403.

23. Ravipudi Veeranarayana Rao, S/o Vijaya Chand, 24 years, Kothapadu Post, J.Panguluru Mandal, Prakasam District.

24. Kambhampati Padmavathi, S/o Abdul Salam, 28 years, Christianpet, 7th Block, 1st Ward, Satenapalli – 522 403.

25. Gadde Ramesh Babu, S/o Nageswararao, 25 years, Gudkpudi Post, Sattenapalli Mandal, Guntur District.

26. Raidu Bhaskara Rao, S/o Ramaiah (late), 32 years, C/o Raidu Venkatarao, Sivalayam Street, Atchampet Road, Sattenapalli – 522 403.

27. Gadde Nageswara Rao, S/o Narayana, 26 years, Gudipudi Post, Sattenapalli (Mandal), Guntur District.

28. Javvaji Sivanageswara Rao, S/o Subbaiah, 29 years, Near Mutyalamma Temple, Gurajala P.O. & Mandal, Guntur District.

29. Akula Nageswara Rao, S/o Anjaneyulu, 21 years, C/o M.Nageswara Rao,Conductor, Nagarjunanagar, Sattenapalli – 522 403.

30. Chigurupati Seshagiri Rao, S/o Masthanrao, 26 years, Gudipudi Post, Sattenapalli Mandal.

31. V.Venkatarao, S/o Tirupathaiah, 25 years, C/o Ravipudi Vijayachandh, Kotapadu Post, J.Panguluru Mandal, Prakasam District.

32. Ravipudi Nagasrinivasarao, S/o Dharma Rao, 27 years, Kankatapalem Post, Bapatla Mandal, Guntur District.

33. Mudigonda Nagesh, S/o Veerabhadraiah, 27years, Chaitanyanagar, A.T.Agraharam, 7th line end, Guntur.

34. Kattamuri Pavankumar, S/o Subba Rao, 22 years, Srinagar, D.No.7-17-21/6, Guntur.

35. Talla Ravi Kumar, S/o T.Nageswara Rao, 28 years, C/o Ch.Radha Krishna Murty, Nehrunagar, 3/1 line, near Saibaba Temple, Guntur – 522 001.

36. Chakravaram Janardhana Raju, S/o Venkatappala Raju, 32 years, Indiragandhi Nagar, 15/2, Guntur-3.

37. Mandadi Jagannadha Rao,S/o Venkateswarlu, 28 years, Bandarupalli P.O. Guntur District – 522 021.

38. Syed Zilani, S/o Khasim, 28 years, Masan, Sutchaiaiahthota, 6th Line, Guntur.

39. G.V.Sesha Sai Ram, S/o G.V.SubbaRao, 27 years, Retired Teacher, H.No.1-32-204/24, Gujjanagundla post, Guntur –6.

40. Patibandla Srinivasa Prabhakar, S/o P.V.Subba Rao, 28 years, 1/15, Brodipet, Opp: Srinath Public School, Guntur –2.

41. Angalakuditi Natarajeswara Rao, S/o Venkateswarlu, 29 years, Sangadigunta, Nerellavari Street, Guntur –3.

42. Chatla Ezra, S/o Kotaiah, 34 years, Bongaralabeedu, 5th line, Guntur.

43. Yanamandra Sitharamanjaneyulu, S/o Krishna Murthy, 28; years, D.No.1-44-5, Kokavari Street, Sri Krishna Brahmanilayam, Nazerpet, Tenali – 522 201.

44. Pavuluri Venkata Rambabu, S/o Krishna Rao, 27 years, Syndicate Bank, Chaparalavari Street, D.No.24-2-83,Guntur –f3.

45. Damerla Sri Devi, W/o PadalaSatish, 28 years, C/o D.Krishna Mohan, Sapthagiri Nilayam, Saibaba Road, 4thline,Guntur –7.

46. Chivukula Kranti Kumar, S/o Narasimha Murthy, 20 years, C/o Girija Devi, O/o APSEB E.R.O.Guntur Town, Guntur – 522 003.

47. Deevi Sangameswara Rao, S/o Koteswara Sarma, 29 years, C/o Lalitha Devi, Krishna Bhavan, Lam Anjaiah Street, Gandhinagar, Tenali.

48. Kakumanu Subrahmanyam, S/o K.B.Lingam, 28 years, D.No.1-37-61, Anugoluvari Street, Nazarpet, Tenali – 522 201.

49. Yerra Koteswara Rao, S/o Y.Venkata Rao, 27 years, Gudipudi Post, Sattenapalli Mandal, Guntur District – 522 403.

50. Deevi Srinivasa Vara Prasad, S/o Seetharamacharyulu, 27 years, Palakaluru Post, Tenali Mandal, Guntur District.

51. Nunna Srinivasa Rao, S/o N.Sambaiah, 28 years, Jonnala Post, Guntur District – 522 034.

52. KVS Nagaraju, S/o K.L.Kantarao, 34 years, C-91, Srinivasa Nagar Colony, Gurajanala post – 522 006, Guntur.

53. B.Umamaheswari, W/o S.Hari Babu, 34 years, Kattavaram, Tenali, Guntur District.

54. L.V.Rama Rao, S/o Appa Rao, 24 years, C/o A.Krishna Rao, D.No.18-13-72/8, Weavers Colony, Nehrunagar, Guntur.

55. V.V.Sitaramaswamy Naidu, S/o V.V.Ramaiah, 26 years, Machavaram, D.No.15-

310, Machilipatnam- 521 002.

56. Y.Murali Krishna, S/o Ramaiah, 25 years, Gudur – 521 149, Krishna District.

57. D.Sujata, D/o D.Josuva, 25 years, D.No.8-17-87, Ismail Street, Wynchpet, Vijayawada.

58. Ch.Ramachandra Rao, S/o Narasimham,f 26 years, Citturu, Kaza (via), Gantasala Mandal, Krishna District – 521 150.

59. S.Hanumanta Rao, S/o Ramachandra Rao, 24 years, D.No.f29-23-24, Opp: Ramalayam, Suryapet, Tadapalli vari street, Vijayawada.

60. J.Srinivasa Rao,S/o J.Mallikarjuna Rao, 25 years, Kothapet, Guntur – 522 001.

…. Petitioners.

AND

1. A.P. State Electricity Board represented by its Member-Secretary, Vidyuth Soudha, Hyderabad.
2. The Chief Engineer, Electrical, Vijayawada Zone, Vijayawada.
3. Superintending Engineer, Operation, APSEB, Vijayawada.
4. Superintending Engineer, Operation, APSEB, Guntur.
5. M.Raghunath Kumar, Chartered Accountant, Bhagat Singh Centre, Kothapet, Guntur – 522 001.
6. P.Subbaraidu & Co., Chartered Accountant, Eluru Bazar, Guntur.
7. Mastanaiah & Co., Chartered Accountant, 11/1 Arundelpet, Guntur.
8. N.Koteswara Rao, Chartered Accountant, Patnam Bazar, Guntur.
9. V.Radhakrishna Raju,Chartered Accountant, Patnam Bazar, Guntur.
10. K.Srinivasa Rao & Co., Chartered Accountant, 9/2 Arundelpet, Guntur.
11. N.N.Murthy & Co., Chartered Accountant, Arundelpet, Guntur.
12. G.Punnaiah & Co., Chartered Accountants, Church Buildings, Brodipet, Main Road, Guntur.
13. Ch.Veerababu & Co., Chartered Accountant, 2/4 Brodipet, Guntur.
14. K.Narasimha Rao,Chartered Accountant, 2/12, Brodipet, Guntur.
15. C.V.L.Narasimha Rao, Chartered Accountant, 10/1, Arundelpet,Satya Niketan, Guntur.
16. Y.Sankara rao & Co., Chartered Accountant, APSEB private Accounting Agency, Machilipatnam, Krishna District.
17. Chandramowleswara Rao & Co., Chartered Accountant, APSEB, Private Accounting Agency,Tenali.

18. Surendra & Co., Chartered Accountant, APSEB Private Accounting Agencies, Machilipatnam, Krishna District.

19. Rao & Narayana Co.,Chartered Accountant, APSEB AccountingAgency, Kodandarami Ramireddy Street, Governorpet, Vijayawada-2.

20. Lions Club of Tenali, APSEB Collection Agency, Tenali.

… Respondents.

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order, direction or writ more particularly one in the nature of Writ of mandamus declaring the action of the respondents 1 to 4 in not absorbing the petitioners in the post of L.D.C/Revenue Cashier/Typist etc., as illegal, arbitrary and unjust and consequently direct the respondents 1 to 4 to absorb the petitioners either in the existing posts or in the posts that may arise in the future in the category of L.D.C/Revenue Cashier/Typist or any other suitable posts with consequential benefits and grant such other relief or reliefs.

Counsel for Petitioner: MR.G.RAVI MOHAN

Counsel for Respondents 1 to 4: Sri Samineni Kishore

Counsel for the Respondents 7, 10, 12, 13 & 14: Sri L.Nageswara Rao

The Court made the following:

ORDER:

Both Sri G.Ravi Mohan, learned Counsel for the petitioners, and Sri Samineni Kishore, learned Standing Counsel for the respondents, submit that the subject matter of this writ petition is covered by the judgment of this Court in W.P.No.18635 of 1993, dated 14.12.1993, as confirmed in Writ appeal No.619 of 1993, dated 05.07.1993, and that the special leave petition preferred against the Division Bench judgment was also dismissed by the Supreme Court in SLP (C) No.11359 of 1994, dated 11.07.1994.

Following the said judgments, this writ petition is also dismissed. No order as to costs.

07.07.2005

MRKR

To

1. The Member Secretary, A.P.State Electricity Board, Vidyuth Soudha, Hyderabad.

2. The Chief Engineer, Electrical, Vijayawada Zone, Vijayawada.
3. The Superintending Engineer, Operation, APSEB, Vijayawada.

4. The Superintending Engineer, Operation, APSEB, Guntur.
5. Two C.D.copies.
6. Lions Club of Tenali, APSEB Collection Agency, Tenali.